

Notice of Allowability

Application No.

10/710,327

Examiner

Longbit Chai

Applicant(s)

BONALLE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to phone interview on 9/10/2007.
2. ☒ The allowed claim(s) is/are 1, 2, 5 - 7, 9, 10, 12 - 21, 34 - 37 and 41 - 52.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

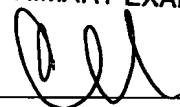
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 8/28/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/10/2007
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CHRISTOPHER REVAK
PRIMARY EXAMINER



DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 27 August 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration dates of the full statutory term of the patent granted on pending reference Application Number 10/708,831 filed on March 26, 2004; 10/710,329 filed on July 1, 2004; 10/710,328 filed on July 1, 2004; 10/710,311 filed on July 1, 2004; 10/710,325 filed on July 1, 2004; 10/710,324 filed on July 1, 2004; 10/708,832 filed on March 26, 2004; and 10/708,837 filed on March 26, 2004 have been reviewed and are accepted. The terminal disclaimer has been recorded.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Howard I. Sobelman (Reg. No. 39,038) on 10 September 2007.

This application has been amended as follows:

IN THE CLAIMS

Cancel claim 3 – 4, 8, 11, 22 – 33 and 38 – 40.

Replace claims 1, 12, 13 and 34.

Claim 1:

A smartcard transaction system configured with a biometric security system, said system comprising:

a smartcard configured to communicate with a reader;

a reader configured to communicate with said system;

a keystroke scan sensor configured to detect a proffered keystroke scan sample, said keystroke scan sensor configured to communicate with said system;

a device configured to verify said proffered keystroke scan sample to facilitate a transaction;

a first enterprise data collection unit associated with a first enterprise, said first enterprise data collection unit configured to store update transactions and pending transactions associated with said smartcard and said first enterprise;

a second enterprise data collection unit associated with a second enterprise, said second enterprise data collection unit configured to store update transactions and pending transactions associated with said smartcard and said second enterprise;

at least one access point configured to interface with said smartcard and said first and second enterprise data collection units;

a card object database system coupled to said first and second enterprise data collection units and configured to store said smartcard information in accordance with said update transactions and said pending transactions, wherein said smartcard information includes a card object having at least one application;

an update logic system configured to interrogate a pending database of said card object database system to determine whether a change has been made and configured to route said smartcard information from said first and second enterprise data collection units

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to said at least one access point in order to effect synchronization of said smartcard information associated with said smartcard and said card object database system; and, wherein said verification device activates said update logic system upon verification of said proffered keystroke scan sample.

Claim 12:

The smartcard transaction system of claim 44 1, wherein said device configured to compare a keystroke scan sample is at least one of a third-party security vendor device and local CPU.

Claim 13:

The smartcard transaction system of claim 44 1, wherein a stored keystroke scan sample comprises a registered keystroke scan sample.

Claim 34:

A method for facilitating biometric security in a smartcard transaction system comprising:

detecting a proffered keystroke scan at a sensor communicating with said system to obtain a proffered keystroke scan sample;

verifying said proffered keystroke scan sample;

authorizing a transaction to proceed upon verification of said proffered keystroke scan sample;

storing, by a first enterprise data collection unit, update transactions and pending transactions associated with said smartcard and a first enterprise, wherein said first enterprise data collection unit is associated with a first enterprise;

storing, by a second enterprise data collection unit, update transactions and pending transactions associated with said smartcard and a second enterprise, wherein said second enterprise data collection unit is associated with a second enterprise;

interfacing with said smartcard and said first and second enterprise data collection units, at an access point;

storing, by a card object database system coupled to said first and second enterprise data collection units, said smartcard information in accordance with said update transactions and said pending transactions, wherein said smartcard information includes a card object having an application;

interrogating, by an update logic system, a pending database of said card object database system to determine whether a change has been made;

routing, by an said update logic system, said smartcard information from said first and second enterprise data collection units to said access point in order to effect synchronization of said smartcard information associated with said smartcard and said card object database system; and,

activating, by said verification device, said update logic system upon verification of said proffered keystroke scan sample.

Allowable Subject Matter

Claims **1, 2, 5 – 7, 9, 10, 12 – 21, 34 – 37 and 41 – 52** are allowed.

The following is an examiner's statement of reasons for allowance:

The above mentioned claims are allowable over prior arts because the CPA (Cited Prior Art) of record fails to teach or render obvious the claimed limitations in combination with the specific added limitations, as recited in the independent claims 1 and 34.

The prior arts fail to teach or suggest a smartcard transaction system configured with a biometric security system, said system comprises a keystroke scan sensor configured to detect a proffered keystroke scan sample; a plurality of enterprise data collection units associated with a plurality of enterprises, said plurality of enterprise data collection units configured to store update transactions and pending transactions associated with said smartcard and said plurality of enterprises; at least one access point configured to interface with said smartcard and said first and second enterprise data collection units; a card object database system coupled to said plurality of enterprise data collection units and configured to store said smartcard information in accordance with said update transactions and said pending transactions, wherein said smartcard information includes a card object having at least one application; an update logic system configured to interrogate a pending database of said card object database system to determine whether a change has been made and configured to route said smartcard information from said first and second enterprise data collection units to said at least one access point in order to effect synchronization of said smartcard information associated with said smartcard and said card object database system; and, wherein said verification device activates said update logic system upon verification of said proffered keystroke scan sample.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner
Art Unit 2131

LBC

CHRISTOPHER REVAK
PRIMARY EXAMINER

